

Senate Resolution 282

By: Senators Seabaugh of the 28th, Rogers of the 21st, Pearson of the 51st, Heath of the 31st, Hill of the 32nd and others

A RESOLUTION

Proposing an amendment to the Constitution so as to eliminate and prohibit the subsequent imposition of state ad valorem taxes and state income taxes and impose in lieu thereof a comprehensive consumption tax to be known as the Georgia One Tax; to provide for procedures and requirements; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article VII of the Constitution is amended by adding a new Section IIB to read as follows:

"SECTION IIB.

GEORGIA ONE TAX

Paragraph I. ***Procedures; requirements.*** (a) The state sales and use tax provided for by the general laws of this state shall be a comprehensive consumption tax on goods and services and shall be known as the Georgia One Tax. The General Assembly shall commence implementation of the requirements of this Paragraph not later than January 1, 2010.

(b) The tax shall be at an initial rate not to exceed 6.5 percent but shall be subject to adjustment by the General Assembly. Any general law which increases the rate in excess of 6.5 percent must be approved by two-thirds of the members elected to each branch of the General Assembly. Any general law which decreases the rate to any rate less than 6.5 percent or which subsequently increases the rate to a level which does not exceed 6.5 percent must be approved by a majority of the votes of all the members to which each house is entitled.

(c) Except for sales to the United States government, this state, any county or municipality of this state, or any bona fide department of such government, no exemptions in effect immediately prior to the implementation of this Paragraph by general law shall

1 remain effective unless specifically continued in force and effect by general law. The
 2 General Assembly shall be authorized to provide by general law for exemptions, limitations
 3 on the maximum amount of tax due, or both, with respect to goods or services. Any general
 4 law continuing an exemption, providing for an exemption, or limiting the amount of tax
 5 due must be approved by two-thirds of the members elected to each branch of the General
 6 Assembly.

7 (d) The Georgia One Tax shall provide for state revenue in lieu of state ad valorem taxes
 8 and state income taxes. Such taxes shall be repealed in their entirety not later than January
 9 1, 2010, and the subsequent levy thereof shall be specifically prohibited."

10 SECTION 2.

11 Article VII, Section I of the Constitution is amended by revising Paragraph II as follows:

12 "Paragraph II. *Taxing power limited.* ~~(a) The~~ There shall be no annual levy of state ad
 13 valorem taxes on tangible property for ~~all purposes~~ any purpose, ~~except for defending the~~
 14 ~~state in an emergency, shall not exceed one-fourth mill on each dollar of the assessed value~~
 15 ~~of the property.~~

16 ~~(b) So long as the method of taxation in effect on December 31, 1980, for the taxation~~
 17 ~~of shares of stock of banking corporations and other monied capital coming into~~
 18 ~~competition with such banking corporations continues in effect, such shares and other~~
 19 ~~monied capital may be taxed at an annual rate not exceeding five mills on each dollar of~~
 20 ~~the assessed value of the property."~~

21 SECTION 3.

22 The above proposed amendment to the Constitution shall be published and submitted as
 23 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
 24 above proposed amendment shall have written or printed thereon the following:

25 "() YES Shall the Constitution of Georgia be amended so as to eliminate and prohibit
 26 the subsequent imposition of state ad valorem taxes and state income taxes
 27 () NO and impose in lieu thereof a comprehensive consumption tax to be known
 as the Georgia One Tax?"

28 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
 29 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
 30 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
 31 become a part of the Constitution of this state.